

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TARA CAPPS, as administrator of the)
ESTATE OF MARK CAPPS,)
)
Plaintiff,) No. 3:23-cv-001141
)
v.) Chief Judge Crenshaw
) Magistrate Judge Newbern
METROPOLITAN GOVERNMENT OF)
NASHVILLE AND DAVIDSON) JURY DEMAND
COUNTY, *et al.*,)
)
Defendants.)

**STATEMENT OF UNDISPUTED MATERIAL FACTS SUPPORTING DEFENDANT
METRO NASHVILLE'S MOTION FOR SUMMARY JUDGMENT**

Defendant Metro Nashville submits the following statement of material fact as to which there is no genuine dispute for trial, pursuant to Federal Rule of Civil Procedure 56(c)(1) and Local Rule of Court 56.01(b).

1. The Court granted Sgt. Coon's motion for summary judgment and held that Sgt. Coon did not violate the Fourth Amendment, and that Mrs. Capps cannot establish that Sgt. Coon violated Mr. Capps's clearly established Fourth Amendment rights. (Mem. Op. Doc. No. 97 at 18–22.)

RESPONSE:

THE DEPARTMENT OF LAW OF THE
METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY
WALLACE W. DIETZ (#09949)
DIRECTOR OF LAW

/s/ Melissa Roberge
MELISSA ROBERGE (#26230)
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Government*

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been delivered via the CM/ECF electronic filing system to the following on the 27th day of February 2025:

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/s/ Melissa Roberge
Melissa Roberge